

HOUSE BILL 2727

By VanHuss

AN ACT to amend Tennessee Code Annotated, Section 49-1-302 and Title 49, Chapter 6, Part 60, relative to K-12 education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 60, is amended by adding the following language as a new section:

If a teacher or administrator believes that the school's student responses to TNReady assessment questions do not accurately reflect what the student has learned, then the director of schools of the LEA may submit a report of assessment irregularity to the department of education and the TNReady assessment for which the report of assessment irregularity was filed shall be nullified and the scores shall not be used.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, Part 60, is amended by adding the following language as a new section:

The office of research and education accountability (OREA) in the office of the comptroller of the treasury shall conduct a full review of the Tennessee Value-Added Assessment System (TVAAS). OREA shall study whether the state should continue to use TVAAS data to measure student growth; whether the state should use another statistical method of evaluating student growth; or whether the state should abandon the use of statistical methods to measure student growth. OREA shall issue a report detailing its findings to the joint government operations committee of the senate and the house of representatives no later than March 1, 2019.

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 6, Part 60, is amended by adding the following language as a new section:

Beginning on July 1, 2018, Tennessee shall not include, as part of any state plan submitted for approval pursuant to the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA), Public Law 114-95, the use of student assessment scores to measure teacher effectiveness.

SECTION 4. Tennessee Code Annotated, Title 49, Chapter 6, Part 60, is amended by adding the following language as a new section:

(a) A parent or legal guardian shall be permitted to opt for the parent or legal guardian's child not to take the TNReady assessments by filing a written statement with the director of schools of the child's LEA specifying that the TNReady assessments are not to be administered to the parent or legal guardian's child. The statement must be filed no later than thirty (30) days before the scheduled administration of the TNReady assessments for which the parent or legal guardian is opting out the parent or legal guardian's child.

(b) LEAs shall develop alternate instructional activities for students who have been opted out of the TNReady assessments to participate in during TNReady testing periods.

(c) A student who has been opted out of the TNReady assessments shall not be punished for not participating in the TNReady assessments.

SECTION 5. Tennessee Code Annotated, Title 49, Chapter 6, Part 60, is amended by adding the following language as a new section:

(a) Beginning with the 2018-2019 school year, TNReady assessments shall be administered in a paper format unless an LEA's local board of education, no later than September 15, approves by a majority vote to administer TNReady assessments in a computerized format for that school year.

(b) The department of education shall fund the administration of TNReady assessments as prescribed in subsection (a) using its existing resources and without additional state funding beyond the amounts appropriated to the department.

SECTION 6. Tennessee Code Annotated, Title 49, Chapter 6, Part 60, is amended by adding the following language as a new section:

(a) Before the department of education may execute or renew any contract for the administration of state assessments, the terms of that contract must be reviewed by:

(1) The information systems council, which shall issue a report detailing its findings and recommendations regarding the contract; and

(2) The joint government operations committee of the senate and the house of representatives and the committee must have issued a positive or neutral recommendation.

(b) The department of education shall assist the joint government operations committee of the senate and the house of representatives and the information systems council in reviewing the terms and conditions of any contract for state assessments.

SECTION 7. Tennessee Code Annotated, Section 49-1-302(d)(2)(E)(ii), is amended by deleting the subdivision and substituting instead the following:

(ii) In the 2017-2018 school year:

(a) The evaluation criteria identified in subdivision (d)(2)(B)(ii) shall be adjusted so that student growth data generated by assessments administered in the 2016-2017 and 2017-2018 school years shall account for a total of twenty percent (20%) of the overall evaluation criteria identified in subdivision (d)(2)(B) as determined under subdivision (d)(2)(E)(ii)(b); and

(b) A teacher or principal shall choose whether the student growth data generated by assessments administered in the 2017-2018 school year accounts

for ten percent (10%) or for zero percent (0%) of the teacher or principal's overall evaluation. Student growth data generated by assessments administered in the 2016-2017 school year shall account for the remaining portion of the twenty percent (20%) total established in subdivision (d)(2)(E)(ii)(a).

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.